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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,262	03/24/2004	Kazuhiko Fukazawa	119216	3894
25944	7590	07/25/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			NGUYEN, JIMMY	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/807,262

Applicant(s)

FUKAZAWA ET AL.

Examiner

Jimmy Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1204.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 –17 are rejected under 35 U.S.C. 102(e) as being anticipated by Shiga et al (US 6,790,287).

As to claims 1, 8, 15, Shiga et al disclose (figs 3, 4) a substrate inspection system and method comprising:

a first inspection (35) apparatus executing a macro inspection of each of a plurality of substrates and outputting information on presence/absence of a defect on each of the substrates,

a storage unit (fig 4, 40) storing therein for each of the substrates the information on presence/absence of a defect outputted from said first inspection apparatus, and

a second inspection (34) apparatus executing an inspection of a predetermined portion of the substrate, wherein

said second inspection apparatus (34) refers to the information on presence/absence of a defect stored in said storage unit (40) and executes the

Art Unit: 2829

inspection of substrates of the plurality of substrates, the substrates being one that does/do not have the defect.

As to claims 2, 9, Shiga et al disclose (figs 3, 4) the substrate inspection system and method according to claims 1, 8, wherein said second inspection (34) apparatus executes the inspection by measuring a relative offset between a resist pattern formed on a surface of the substrate and an underlying pattern.

As to claims 3, 10, 16, Shiga et al disclose (figs 3, 4) a substrate inspection system and method comprising :

a first inspection apparatus (35) executing a macro inspection of each of a plurality of substrates and outputting information on distribution of a defect on each of the substrates,

a storage unit (fig 4, 40) storing therein for each of the substrates the information on distribution of a defect outputted from said first inspection apparatus; and

a second inspection apparatus (34) executing an inspection of a predetermined portion of the substrate, wherein

said second inspection apparatus (34) refers to the information on distribution of a defect stored in said storage unit and executes the inspection of substrates of the plurality of substrates, the substrates being one that does/do not have the defect distributed in the predetermined portion.

As to claims 4, 11, Shiga et al disclose (figs 3, 4) the substrate inspection system and method according to claims 3,10, wherein said second inspection apparatus (34) executes the inspection by measuring a relative offset between a resist pattern formed on a surface of the substrate and an underlying pattern.

As to claims 5, 12, 17, Shiga et al disclose (figs 3, 4) a substrate inspection system and method comprising:

a first inspection (35) apparatus executing a macro inspection of each of a plurality of substrates and outputting information on distribution and classification of a defect on each of the substrates,

a storage unit (fig 4, 40) storing therein for each of the substrates the information on distribution and classification of a defect outputted from said first inspection apparatus, and

a second inspection apparatus (34) executing an inspection of a predetermined portion of the substrate, wherein

said second inspection apparatus (34) refers to the information on distribution and classification of a defect stored in said storage unit and determines substrates to be inspected from the plurality of substrates.

As to claims 6, 13, Shiga et al disclose (figs 3, 4) the substrate inspection system and method according to claims 5, 12, wherein said second inspection apparatus (34) determines substrates to be inspected according to how much a kind of the defect contained in the classification information is associated with a kind of a defect detectable by said second inspection apparatus.

As to claims 7, 14, Shiga et al disclose (figs 3, 4) the substrate inspection system and method according to claims 5, 12, wherein said second inspection apparatus (34) executes the inspection by measuring a line width of a resist pattern formed on a surface of the substrate.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Nguyen whose telephone number is 571-272-1965. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramtez Nestor , can be reached on 571-272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 2829

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.


For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jimmy Nguyen

7/21/05


VINH NGUYEN
PRIMARY EXAMINER
A.U. 2829
07/22/05